

07-19-07

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ARCHE MASTER FUND, L.P.

Plaintiff,

-against-

XE-R, LLC

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/19/07

ECF CASE

Civil Action No. 07-CV-2993  
(TPG) (AJP)

**STIPULATION AND  
CONSENT ORDER**

Arche Master Fund, L.P. ("Plaintiff"), by its attorneys Quinn Emanuel Urquhart Oliver & Hedges, LLP, and XE-R, LLC ("Defendant"), by its attorneys Kent, Beatty & Gordon, LLP, hereby stipulate and agree as follows:

WHEREAS, on April 13, 2007, Plaintiff filed a Complaint against the above-referenced Defendant;

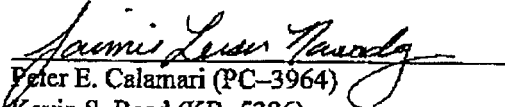
WHEREAS, on May 21, 2007, Defendant filed a Motion For Summary Judgment and For a Stay Pending Arbitration; and

NOW THEREFORE, in consideration of the foregoing, the parties have agreed that Plaintiff shall have up to and including June 19, 2007 to file and serve its opposing affidavits and answering memorandum to the Motion For Summary Judgment and For a Stay Pending Arbitration. Defendant shall have up to and including July 3, 2007 to file and serve its reply affidavits and memorandum of law. This is Plaintiff's second request for an extension of time. Plaintiff's original request for an extension of time, to which Defendant also consented, was filed on May 31, 2007.

Dated: New York, New York  
June 14, 2007

**QUINN EMANUEL URQUHART OLIVER &  
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By:

  
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*Attorneys for Defendant XE-R, LLC*

**SO ORDERED:**

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U.S.D.J.

